

DELEGATE SHERBOW: Mr. President, ladies and gentlemen, I hope you will vote against this amendment. This is the initiative, no matter what else you call it, which gives ten percent of the voters, under the pressure of any pressure group, the opportunity to put on the ballot and to vote through, particularly in times of stress, not an amendment to the constitution, although they will call it an amendment to the constitution, but it can be any law that they want to pass and fasten on to the constitution.

They have this in California. It took the Supreme Court of the United States to declare one of their amendments unconstitutional. When there is a feeling of high pressure or division within a community or within a state, this is when these pressure groups go to work, get these signatures, put them on the ballot, and if you have one of these ballots containing many, many other items to vote on, it slips through and gets on the books and becomes something that you cannot get out, because afterwards, to remove it becomes a herculean task.

This is not proper for us. It is wrong in its concept. We voted it down at a time when it was given fair consideration. I urge you to vote against this amendment once again.

DELEGATE JAMES (presiding): Delegate Gleason.

DELEGATE GLEASON: Mr. Chairman and fellow delegates, it seems to me that the time has come in this Convention for us to start being concerned with the rights of the people and to amend, what, after all, is their basic charter. I listened to the arguments from the delegate from Baltimore City, and I think we would not conclude that there is nothing in this present constitutional document, which we soon hope will get out to the voters, that contains legislation and not constitutional provisions.

I see nothing wrong with ten percent of the people, having an opportunity to put on the ballot for all the voters of this State a fundamental change in the constitution which affects all of their lives. This is what we are here for at this Convention. Why should we deny those voters of this State an opportunity to change this basic document?

It seems that the argument that this issue comes down to is that we are afraid to let the people subject themselves to some organized pressure group that is

going to stampede them into putting something unwise on the ballot before all of the voters.

Well, that is the way the ball game goes, which is what somebody said to me at one time, that is the way democracy runs. I think we have taken away so many rights of the people, for example, we have set up that they have absolutely no control over their judges any more; I understand a couple of days ago we even took the transcript of the debates out; but that matter is going to come up again.

I think it is time that we started thinking about giving the people a chance to express some of their own views on what this constitution ought to be in the future, and therefore I hope that finally this initiative provision is supported.

DELEGATE JAMES (presiding): Does anyone wish to speak for the amendment? Against the amendment?

Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Mr. President, if you believe at all in the republican form of government, if you believe at all in the legislative processes, you will turn down this amendment. You will note that there is no opportunity for debate, no opportunity to listen to witnesses, no opportunity for examination of true issues involved.

I would suggest to you that where this matter is in effect we can pretty much bet that the only type of issue that gets through on this type of petition is an emotional issue. Emotional issues should be subject to the same type of examination, debate, and testimony from witnesses as any other issue.

I would strongly suggest that if we are to adopt such a method as this for incorporating anything into our new constitution we have totally wasted out time. I strongly urge everyone to vote against this.

DELEGATE JAMES (presiding): Does anyone wish to speak in favor of the amendment?

Delegate Clark.

DELEGATE J. CLARK: I rise to support this amendment. It seems to me quite unreasonable that we come here, are sent here by the people of this State as their chosen representatives to write a constitution for them which cannot become our constitution until they have approved it on referendum, and yet we would be so pre-